

**HAYNES AND BOONE, LLP**  
**Fax Transmittal****FILE COPY****DATE:** November 20, 2003**Total Pages Including Cover: 6**

**TO:** Office of Initial Patent Examination  
Filing Receipt Corrections  
**Fax #:** 703-746-9195

**Company:** Commissioner for Patents  
**Phone #:**

**Client/Matter #:** 6108.73

**FROM:** Richard V. Wells  
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**MESSAGE:**

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Attorney Docket No. 6108.73  
Customer No. 000027683

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:  
Gregory Don Moore et al.

Serial No.: 10/635,948

Filed: August 7, 2003

Entitled:  
SINGLE SLITTING PROCESS FOR RECYCLING  
RAIL

§ Group Art Unit: 1472

§ Examiner: unknown

§ Confirmation No.: 1225

REQUEST TO CORRECT FILING RECEIPT

Via Facsimile No. 703-746-9195  
 Office of Initial Patent Examination's Filing Receipt Corrections  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Attached is a copy of the official *Filing Receipt* received from the U.S. Patent and Trademark Office (PTO) in the above-identified patent application in which issuance of a corrected filing receipt is respectfully requested.

The "Non-Publication Request: No" is incorrectly stated on the *Filing Receipt*. Applicant filed a *Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i)* on August 7, 2003 along with the original filing of the application. Enclosed is a copy of the *Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i)* and *Utility Patent Application Transmittal* as filed on August 7, 2003. Therefore, the filing receipt should state "Non-Publication Request: Yes". Correction of this error is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees or to credit any overpayments to Deposit Account No. 08-1394.

Respectfully submitted,



Richard V. Wells  
 Registration No. 53,757

Date: 20 November 2003  
 HAYNES AND BOONE, LLP  
 901 Main Street, Suite 3100  
 Dallas, Texas 75202-3789  
 Telephone: 214/651-5512  
 IP Facsimile: 214/200-0853  
 File: 6108.73  
 d-1188926.1

## FACSIMILE TRANSMITTAL

I hereby certify that this correspondence is being faxed to Office of Initial Patent Examination's Filing Receipt Corrections, Commissioner for Patents, Alexandria, VA 22313-140 @ 703-746-9195 on 11-20-2003

Signature: Debbie L. Ludwig  
 Typed Name: Debbie L. Ludwig



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371 (C) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/635,948	08/07/2003	1742	750	6108.73	3	17	3

CONFIRMATION NO. 1225

27683  
 HAYNES AND BOONE, LLP  
 901 MAIN STREET, SUITE 3100  
 DALLAS, TX 75202

**COPY**

## FILING RECEIPT



\*OC000000011163318\*

Date Mailed: 11/05/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9135. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Gregory Don Moore, Magnolia, AR;  
 James Edward Melton, Boerne, TX;  
 Stephen Gary Weaver, Magnolia, AR;

## Assignment For Published Patent Application

CMC Steel Fabricators, Inc., Seguin, TX;

## Domestic Priority data as claimed by applicant

## Foreign Applications

If Required, Foreign Filing License Granted: 11/04/2003

Projected Publication Date: 02/10/2005

Non-Publication Request:  YES

Early Publication Request: No

## Title

Single slitting process for recycling rail

RECEIVED

NOV 11 2003

HAYNES &amp; BOONE LLP

2-7-04 6 mo. FF remind  
LTC

8-7-04 - DD to FF

Docketed 1111-03By cj

Preliminary Class  
075

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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COPY

PTO/SB/05 (06-03)

Approved for use through 07/31/2003. OMB 0651-0032  
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UTILITY  
PATENT APPLICATION  
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)

2.  Applicant claims small entity status.  
See 37 CFR 1.27.

3.  Specification [Total Pages 14]  
(preferred arrangement set forth below)  

- Descriptive title of the Invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4.  Drawing(s) (35 U.S.C. 113) [Total Sheets 3]

5. Oath or Declaration [Total Sheets \_\_\_\_\_]  
a.  Newly executed (original or copy)

b.  Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)

1.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting Inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6.  Application Data Sheet. See 37 CFR 1.78

Attorney Docket No.	6108.73
First Inventor	Gregory Don Moore
Title	Single Slitting Process for Recycling Rail
Express Mail Label No.	EV 333437640 US

ADDRESS TO:

**Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450**

7.  CD-ROM or CD-R In duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission  
(If applicable, all necessary)

a.  Computer Reader Form (CRF)

b. Specification Sequence Listing on:

i.  CD-ROM or CD-R.(2 copies); or

ii.  Paper

c.  Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

10.  Assignment Papers (cover sheet & document(s))  
 37 CFR 3.73(b) Statement  Power of  
*(when there is an assignee)*  Attorney

11.  English Translation Document *(if applicable)*  
 Information Disclosure  Copies of IDS  
 12.  Statement (IDS)/PTO-1449  Citations

13.  Preliminary Amendment

14.  Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*

15.  Certified Copy of Priority Document(s)  
*(if foreign priority is claimed)*

16.  Nonpublication Request under 36 U.S.C. 122  
 (b)(2)(B)(i). Applicant must attach form PTO/SB/35  
 or its equivalent.

17.  Other: Express Mail Certificate.....

18. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in the first sentence of the application following the title, or in an Application Data Sheet under 37 CFR 1.76:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No.:

**Prior application information:** Examiner \_\_\_\_\_ Art Unit \_\_\_\_\_  
For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.  
An oath or declaration can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

<input checked="" type="checkbox"/> Customer Number:	27683	OR <input type="checkbox"/> Correspondence address below	
Name	Jeffrey M. Becker		
Address	Haynes and Boone, LLP 801 Main Street, Suite 3100		
City	Dallas	State	Texas
Country	USA	Telephone	214.651.5066
Name (Print/Type)	Jeffrey M. Becker	Registration No. (Attorney/Agent)	35,442
Signature			

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to be (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/35 (05-03)

Approved for use through 4/30/2003. OMB 0651-0031

U. S. Patent and Trademark Office, U. S. DEPARTMENT OF COMMERCE

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**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor Gregory Don Moore

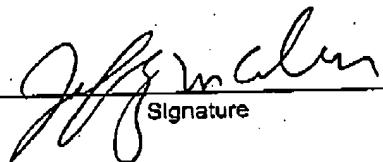
Title Single Slitting Process for Recycling Rail

Attorney Docket Number 6108.73

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Aug. 7, 2003  
Date

  
Signature

214.651.5066

Telephone number

Jeffrey M. Becker (Reg. No. 35,442)

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 minutes to complete. Including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.